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Applicant(s): Lisa Schmitt

Docket No.

P 1079.13001

Application No.
10/644,551

Filing Date
8-20-2003

Examiner
Bui, Luan Kim

Customer No.
30615

Group Art Unit
3728

Invention: MEASURING AND STORAGE CONTAINER

AUG 15 2005

PATENT & TRADEMARK OFFICE

I hereby certify that this Response, Transmittal Letter (in duplicate) and return postcard
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Diane Thomas

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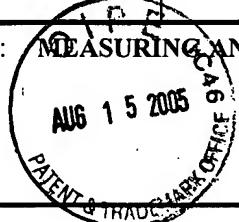
**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
P 1079.13001

In Re Application Of: **Lisa Schmitt**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/644.551	8-20-2003	Bui, Luan Kim	30615	3728	6636

Title: **MEASURING AND STORAGE CONTAINER**



COMMISSIONER FOR PATENTS:

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Response
Transmittal Letter (in duplicate)
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Dated: **August 12, 2005**

Garth Janke, Reg. No. 40,662
BIRDWELL & JANKE, LLP
1100 SW Sixth Avenue, Suite 1400
Portland, Oregon 97204

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Signature of Person Mailing Correspondence

Diane Thomas

Typed or Printed Name of Person Mailing Correspondence

cc:



UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT EXAMINING OPERATIONS

Applicant: Lisa Schmitt

Group Art Unit: 3728

Serial No.: 10/644,551

Examiner: Bui, Luan Kim

Filed: August 20, 2003

Docket No.: P 1079.13001

Title: MEASURING AND STORAGE CONTAINER

CERTIFICATE OF MAILING

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Diane Thomas
Diane Thomas

Birdwell & Janke, LLP
1100 SW Sixth Avenue, Suite 1400
Portland, Oregon 97204
August 12, 2005

RESPONSE

Mail Stop: Amendment
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Greetings:

In response to the Office Action mailed July 28, 2005, applicant provisionally elects claims 1 - 12 for examination in the above-captioned patent application. The election is being made with traverse, for the following reason: The Examiner states that claims 1 - 12 and claims 13 - 15 are related as "process of making" and "product made." However, claims 13 - 15 have nothing to do

with making any product. Rather, claims 1 - 12 are drawn to a product and claims 13 - 15 are drawn to using the product for measuring and storing food.

Respectfully,



Garth Janke

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